

PHILBIN FIERCELY SCORES SCANNELL.

His Painful Dig at Croker About "Royal Atmosphere" Makes Tammany Buzz.

The argument before Justice Childers in the Supreme Court today on the motion to dismiss the indictments against Fire Commissioner Scannell and his friend Marks took on the aspect of a political discussion.

De Lancy Nicoll, of counsel for Mr. Scannell, took a hard fling at the District-Attorney's office and the Republican party, while District Attorney Philbin came back with a disguised but none the less palpable dig at Richard Croker.

It will be two weeks or more before a decision will be rendered by Justice Childers.

In no other city but New York could there have been a more diversified gathering that which thronged Justice Childers's court-room when the Scannell arguments were begun today.

Tammany Out in Force.

The space usually reserved for witnesses was crowded with lawyers and Tammany friends of Scannell and Marks, although neither of the defendants was in court.

Nearly every Tammany department head had a special representative in the room.

District-Attorney Philbin was in court. He was also represented by Arthur C.

"INDICTMENTS FOUND FOR POLITICAL ENDS."

Of course, in quiet and peaceful times like these there is no real danger, but the time might come when a District-Attorney would put the powers of the county in the hands of a counsel specially appointed by the leader of a political faction.

We might then see indictments found for the purpose of furthering political ends.—From the argument of De Lancy Nicoll.

Train and Samuel H. Ordway, special counsel engaged by him for this prosecution.

Mr. Nicoll was informed by the Court that he might have an hour in which to explain why the indictments charging the Fire Commissioner with neglect of duty and Marks and the Fire Commissioner with conspiracy to defraud the city should be set aside.

As his associate, Mr. Lindsay, had reviewed the evidence yesterday he devoted himself entirely to a discussion of Mr. Ordway's connection with the case.

"Court Has No Alternative."

"The Court has no power to exercise discretion in this matter," said Mr. Nicoll, as he concluded his argument.

"Mr. Ordway was present in the Grand Jury room during the taking of evidence and he was not legally there as a representative of the District-Attorney."

The law provides, and the provision is clear and specific, that only the District-Attorney or one of his eight legally qualified assistants shall be in the Grand Jury room when evidence is being taken.

Mr. Ordway, not being one of the District-Attorney's eight assistants, was in the room illegally. It is mandatory on the Court to quash the indictment on this point alone."

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PHILBIN'S PAINFUL FLING AT CROKER.

"We can imagine what might be the profits of an unofficial citizen having greater power (than Marks). He could acquire millions of dollars, so many that it would render it more congenial for him to seek the atmosphere of royalty rather than remain in the Democratic atmosphere of this country."—From the argument of District-Attorney Philbin.

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At the conclusion of Mr. Nicoll's remarks, Mr. Philbin, after consulting with his associates, reconsidered his plan to refrain from personal participation in the argument. He went before the bar and addressed the Court.

Philbin Takes Up the Fight.

District-Attorney Philbin, speaking with deliberation and occasionally referring to the Court.

"I think this case is of such importance that the District-Attorney should lend his personal aid and official weight to it."

"While in ordinary cases the defendant is entitled to the benefit of the doubt, in the present case, where an official is charged with a crime, he should not have such amnesty."

"It is particularly so in this case because the circumstances leading up to this indictment show that the defendant was shown to have been a fair and honest citizen."

"The matter was first made public last January, so that Mr. Scannell and Mr. Marks for a long time were aware of the charges against them. The defendant, we both before the Grand Jury and they had a general knowledge of the charges."

"Notwithstanding this amount of fairness, and that not one word has been said in the argument to show that the District-Attorney has taken an unfair advantage of these defendants, they have seen fit to avoid a fair trial of these charges by employing one of the most skillful pleaders ever known in this country and by one of the most skillful criminal lawyers all for the purpose of defeating a fair investigation of their conduct in this case."

Big Loss to the City.

"While it would be utterly improper for this Court to take into consideration anything except this particular indictment, it is to be regretted that the City is not rebuked by a conviction by this Court. It will permit a scoundrel to get into a position of power and to get into a position of power and to get into a position of power."

"Even Mr. Marks, in his humble capacity as a private citizen, has been shown to have received a profit of over \$500,000 in a little more than a year."

"We can imagine what might be the profits of an unofficial citizen having greater power (than Marks). He could acquire millions of dollars, so many that it would render it more congenial for him to seek the atmosphere of royalty rather than remain in the Democratic atmosphere of this country."

"So I cannot urge too strongly upon you that the people are entitled to a fair investigation of this matter by a trial."

Won't Give Up the Fight.

"I desire to say to Your Honor that in case you find it wise to dismiss these indictments, I will not give up the fight. I will continue to fight for the people of this city."

"In this case, however, we can look for no other result than a conviction. The witnesses were unwilling before. It would be difficult to get them before."

"There was a subtle buzz in the Tammany contingent when the realization of the fact that the District-Attorney had taken a verbal fall out of the English predictions of 'the Boss'."

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MISS ABBIE ALDRICH.

She is the daughter of Senator Aldrich, of Rhode Island, and is to wed John D. Rockefeller, Jr.

MOB ASSAILS MAN IN THE COURT ROOM BOMB FOR RICH MAN, SAY BLACKMAILERS.

Prosecutor of Alleged Horse Poisoners Roughly Handed by His Enemies.

When Max Greenfeder, of No. 35 Rutgers street, appeared before Magistrate Packer, in the Essex Market Court, today to prosecute Max Luchman, of No. 35 Chrystie street, for the alleged poisoning of three of his horses, Greenfeder was made a prisoner on a charge of assault.

Lawyer Maurice H. Gottlieb, who appeared for Greenfeder, declared that his arrest was outrageous.

On Saturday last Luchman was arrested on Greenfeder's complaint, and shortly afterward Greenfeder's son Joseph was arrested and locked up on a charge of assaulting T. B. Hallington, Baltimore, did not show up to prosecute, so Joseph was held for examination until further notice.

Luchman's examination was set down for today, and a representative of the District-Attorney's office appeared and asked for an adjournment until Thursday next.

As Greenfeder was leaving the courtroom he was surrounded by a crowd of Luchman's friends, including Benjamin Rimmthal, of No. 31 Stanton street. They struck at Greenfeder and he ran back into the courtroom for protection.

In the meantime, Lawyer Henry Goldsmith, who was in the courtroom, tried to get Luchman out of the courtroom by being an accomplice of his son Joseph in the assault on Baltimore, and he was arrested.

Your Honor, said Lawyer Gottlieb, I propose to show that you have been grossly imposed upon. This is simply a trumped up charge made by these horse poisoners to force Greenfeder to leave this city.

Magistrate Packer found Greenfeder's bond at \$500, which was promptly furnished and he was promptly released.

Greenfeder said that he had been grossly imposed upon. This is simply a trumped up charge made by these horse poisoners to force Greenfeder to leave this city.

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P. J. Brown, Wealthy Staten Islander, Threatened—Police Arrest Four.

A plot to blackmail a wealthy manufacturer living at West New Brighton, S. I., has just come to light, and the police are striving to run down the gang of professional blackmailers, who, they believe, are the authors of the plot.

One arrest has already been made, and it is expected that more will soon follow. Besides the man arrested on suspicion three boys are detained as witnesses.

Sergt. Joseph Cobb, who is in command of the West Brighton police station, was informed a few days ago by P. J. Brown, a wealthy carriage manufacturer, who lives in a handsome residence on Taylor street, West New Brighton, that he had received a letter from persons unknown to him, in which the threat was made that if he did not pay over \$500 in gold to the writers his house and the inmates would be blown up with dynamite.

Letter Shown to Police.

Mr. Brown showed the letter to Sergt. Cobb. It is as follows:

PORT RICHMOND, Aug. 26, 1901.

I, J. Brown, now write you asking you for the sum of \$500, and also ask you to have it on hand to-morrow evening (Wednesday).

We want ask you to leave your home, only have it when we send a messenger for it. Now, Brown, don't get excited and telephone for the police, thinking they will save you and your money. Remember we are prepared for anything that comes our way. If you don't do as we tell you you are the loser. At any risk, or expense, we intend to make an example of you providing you don't do exactly as we tell you.

We will engage a messenger boy and send him to your house on Taylor street, West New Brighton, Wednesday evening. He will hand you a note. Be on hand and have the lady follow away.

Dynamite Threatened.

That is, if you don't intend to give up the gold, because before many hours a dynamite bomb will blow your house and all who are in it to atoms.

Remember what happened to old man Ross because he did not do as he was told. Remember what Cuddy would have gone through if he had not done as he was told. ANARCHISTS.

Sergt. Cobb, as soon as he read the letter, decided on a plan of operation.

On Wednesday evening Mr. Brown's house was surrounded by policemen in citizen's clothes, and two detectives were stationed inside the house. There were no developments in the case and no messenger boy called at the house.

Two days later Mr. Brown received another letter saying that the writers had made other arrangements in regard to securing the \$500 demanded.

Receives a Second Letter.

In the second letter Mr. Brown was instructed to leave \$500 in five dollar bills in a package at the general Post-

GRANGERS SUFFER A REACTION.

U. S. Steel and Copper Also Yield, Being Subjected to Severe Pressure.

TRADING VERY BRISK.

Southern Pacific and Rio Grande Common the Exceptional Firm Features.

The local market opened with any cue whatever from the foreign market, as prices from that centre displayed only nominal gains and an apathy seemed to prevail. Furthermore, there was scarcely any clearing news from the strike centres, all of which resulted in an extremely confused opening, though the gains slightly predominated.

Southern Pacific was easily the feature, being purchased at 61 3/4, a net gain of 1-1/2 per cent. over yesterday's final figure. Denver & Rio Grande common scored a gain of 1-1/2 per cent. in sympathy, with a 3-4 per cent. advance at the foreign.

Sentiment turned bearish shortly after the opening on a break of 2 full points in Anaconda Copper, which sold off to 119 1/4, on intense pressure. In the retrograde movement which followed, the Granger stocks were the chief sufferers. Atchafalaya, St. Paul, Missouri Pacific, Union Pacific and Texas Pacific receded about a point each.

The United States Steel stocks sold off 3-8 per cent. on the common and 1-2 per cent. on the preferred, though the steel in these issues were only moderately heavy.

Of the local traction issues Brooklyn Rapid Transit and Manhattan "L" were off 3-8 per cent. Each. Other issues in this group were inactive.

In the industrial quarter Sugar was a notable stable smeltering. The refining common was up about as much as 3-8, as compared with 54, yesterday's final quotation.

The market manifested a decided tendency toward improvement in the second hour of business, and trading became exceptionally brisk on the rise. St. Paul led off with a gain of 2 full points on enormous volume, selling fully 20,000 shares. Union and Missouri Pacific recovered the early loss. Total sales to noon were 355,000 shares.

The market turned sharply reactionary during the afternoon session and prices rapidly slumped 3 to 4 points below yesterday's closing, with sentiment somewhat pessimistic.

The closing was very weak. The total sales of stocks to-day were 550,000 shares.

The Closing Quotations.

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Am. Car & Foundry 87 1/2 88 1/2 88 1/2 88 1/2
Am. Car & Foundry 87 1/2 88 1/2 88 1/2 88 1/2

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